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September 20, 2024

**Via ECF**

The Honorable Valerie Figueredo  
Daniel Patrick Moynihan  
United States Courthouse, S.D.N.Y.  
500 Pearl Street  
New York, NY 10007

RE: *Vinci Brands, LLC v. Coach, Inc., et al.*, Civil Action No. 1:23-cv-05138-LGS  
*Case-Mate's Letter Response to ECF 474 and ECF 483 Re Sealing of Documents*

Dear Judge Figueredo:

Per the Court's August 21, 2024 Memo Endorsement [ECF 474], Case-Mate respectfully requests: (1) that Exhibit C to the Declaration of Michael Vatis (the "Declaration") remain provisionally sealed to allow additional time for Case-Mate to meet and confer with the interested non-party who produced the document; and (2) that Exhibits E through H to the Declaration remain under seal until Vinci provides the Court appropriately redacted versions of these Exhibits for the public docket. In addition, per the Court's August 29, 2024 Memo Endorsement [ECF 483], Case-Mate respectfully submits non-party D.A. Davidson Co.'s ("D.A. Davidson") position regarding Exhibit 4 to Case-Mate's Opposition to Vinci's Motion for Leave to File a Third Amended Complaint.

**ECF 474 Exhibits**

Non-party Select Sales produced Exhibit C (bates labeled as SelectSales\_017295-98) in response to a document subpoena issued by Vinci Brands LLC. The document was marked "Confidential" when produced by the non-party to Vinci. Case-Mate does not seek to seal this document. However, since it was produced by a non-party who may have an interest in the protection of that document, Case-Mate has made a good faith effort to meet and confer with the non-party regarding any request it may have to seal the document. On September 10<sup>th</sup>, Case-Mate asked Vinci to provide contact information for Select Sales' counsel with whom it communicated regarding the subpoena. Vinci did not provide that information until the evening of September 18<sup>th</sup>, two days before the deadline for Case-Mate to respond to ECF 474. Case-Mate promptly contacted Select Sales' counsel on September 19<sup>th</sup>. Select Sales has requested this document remain temporarily under seal to allow time for it to review the document and prepare a written statement of its position if necessary.

Accordingly, Case-Mate respectfully requests that Exhibit C remain provisionally sealed until October 4, 2024 to allow Select Sales the opportunity to seek permanent sealing if it deems

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it necessary. Good cause exists to maintain the current provisional seal on Exhibit C to allow Select Sales to assess any need for continued protection of that document from public access.

Exhibits E through H are proofs of Vinci's service attempts on Kelly Maclean. The Court permanently sealed the unredacted versions of these documents, and Vinci requested that redacted versions of these exhibits be maintained on the public docket. However, upon review, Ms. Maclean's home address does not appear to be redacted from Vinci's Exhibits F and G. Accordingly, Case-Mate requests that the public versions of Exhibits F and G remain under seal until Vinci has resubmitted these exhibits to the Court with proper redactions, removing Ms. Maclean's home address throughout.

#### ECF 483 Exhibits

Non-party Siena Lending Group LLC ("Siena") produced Exhibit 7 (Siena 3664) in response to subpoena. And non-party D.A. Davidson produced Exhibit 4 (bates labeled as DADAVIDS\_000000342-43) in response to a subpoena. Both companies marked the documents "Confidential" when produced in accordance with the existing protective order in this case [ECF 233]. Case-Mate met and conferred with both non-parties regarding their respective documents. Siena does not request that Exhibit 7 remain sealed. However, D.A. Davidson has indicated an interest in maintaining the confidentiality of Exhibit 4. Accordingly, Case-Mate is submitting the attached letter received from D.A. Davidson's counsel in relation to Exhibit 4 and ECF 483.

We appreciate the Court's attention to these matters.

Respectfully submitted,

/s/ Paige Nettles

K. Paige Nettles  
(Counsel for Case-Mate, Inc.)

**MEMO ENDORSED**

  
**HON. VALERIE FIGUEREDO**  
**UNITED STATES MAGISTRATE JUDGE**

Dated: 10/2/24

The motion to permanently seal ECF No. 447-1 is hereby GRANTED. The Clerk of Court is respectfully directed to lift the provisional seals at ECF Nos. 447, 447-2, 447-3, 447-4, and 447-5, and to permanently seal ECF No. 447-1.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 516.